

1882-046 Chancery Causes: Samuel Potket vs. A. J. Anderson &c  
Lee Co.

Blessing

CA-Debt  
T-Property

To The Honorable John A. Keely,  
Judge of the Circuit Court of Lee Co Va  
Your orator Samuel Pateet, humbly com-  
plaining sheweth unto your Honor, that  
heretofore to wit on the 31<sup>st</sup> day of July  
1879, your orator sold to one A. J.  
Anderson a tract of land situated in  
this County, on the waters of Blackwater  
Creek, and properly described in a deed  
made to your orator which if deemed nec-  
essary will be hereafter filed. He sold  
this land for the price of \$800, to be paid  
in five annual installments, the first  
falling due 1<sup>st</sup> Jan 1880, so that two  
of said bonds are now due & payable -  
Each of these bonds are for the <sup>sum</sup> ~~price~~ of \$160  
These bonds marked, 1, 2, 3, 4 and 5 will be  
found herewith filed ~~marked~~ as a part  
hereof. By an inspection of these bonds  
it will be seen on the first there is a  
credit of \$95.25 paid 10<sup>th</sup> day of Jan.  
1880. The residue of these bonds are still  
due & owing to your orator. Since the sale  
made as aforesaid, the said Anderson,  
has abandoned said farm, and moved west  
leaving no effect, in this state except  
said land, - Your orator never made a  
deed thereto, but still holds the legal



title as lien for the unpaid purchase money. Before the said Anderson left he undertook, rent said land to one J. C.

Blesing who now resides, there, and by his contract owes rent, to the amount of \$25 which will fall due Jan. 1<sup>st</sup> 1882. - As before stated said Anderson has removed abandoned said land there is no hope of his ever paying one cent therefor. - This abandonment by him has greatly damaged your estate & put him to great inconvenience & trouble, as the land upon re-sale will hardly pay the purchase money. The object of this bill therefore is to obtain a decree annulling & abrogating said contract or if deemed more equitable to see so much thereof as may be deemed necessary to pay the purchase money now due - as to compel said Blesing to pay the said rent due from him to your estate, and not to the said Anderson or his agent, and that a decree of sale for so much as may pay the amount now due be entered in this cause. His prayer therefore is that A. J. Anderson and J. C. Blesing be made parties defendant, to this bill & answer it allegations upon oath and upon a hearing a decree be rendered, seeing so much



of said land, as may be necessary to  
pay the amt, now due. That said Contract  
be annulled yet article as a basis for thought.  
And for all other further and general re-  
lief. May 20th 1861.

A. L. Pridemore



Orr bck \$ 2.08  
 6 3.32  
 Printer 5.00  
 8 .50  
 A 15.00  
 Estimated 6.00  
 \$31.90

ADP

Samuel Poter

vs <sup>3</sup> Bill Chy.

A. J. Anderson vs

Exhibits 1, 2, 3, 4, 5

1881. July Bill filed. D. P. vs.  
 executed on home. D. P. vs. D.  
 + order Publication vs. D. P.

11 Aug. Ans. of home D. P. filed.  
 D. P. Com? + set for  
 hearing by Plff

1881. Aug. 1. Decree + cont.

1882 March Decree Final

Samuel Poter

with interest + costs

Enter Cont.



To the Honorable John A. Kelly Judge of  
the Circuit Court of Lee County Va.  
The separate answer of J. C. Blesing  
to a bill filed in this Honorable court  
by Samuel Patet ~~against~~ him et al.

Respondent says he is in possession  
of said land, under by virtue of con-  
tract made with one Oliver Brewer, who  
represented himself as the agent of A. J.  
Anderson. Respondent had partly made  
said contract with said Anderson after  
he left it was completed with said  
Brewer. The contract was for four years  
if said Patet did not sooner obtain  
possession thereof, and respondent was  
to pay the sum of \$25. therefor each  
year he held the same the first install-  
ment of which, will fall due on  
Jan. 1<sup>st</sup> 1882. This sum respondent owes  
under the contract herein before stated  
and is willing to pay the same, when  
it falls due to - whomsoever this  
Hon. Court may direct - and having  
now fully answered he prays hence  
to be dismissed &c.

A. L. Primmer



Virginia Lee County to wit:—

This day J. C. Blessing  
personally appeared before me and made  
oath that the foregoing facts, so far as  
stated upon his own knowledge ~~are~~ true  
& so far as made upon the information  
of others he believes them to be true.

Given under my hand this 4<sup>th</sup> July 1881.

J. A. S. Hyatt Clerk

J. C. Blessing

Ass. 3

Sam'l. Pateck

Filed July Rules 1881,

J. A. S. Hyatt Clerk



Samuel Pateet  
against

P.L.H.

A. J. Anderson

Sept

In chuz

This cause came on again this day to be heard upon the papers formerly read and the report of A. L. Philmore Commissioner filed Jan 18<sup>th</sup> 1882 and was argued by Counsel - On consideration whereof and for reasons appearing to the Court said Sale is confirmed and made final; and as the purchaser the plff is already the holder of the legal title, no deed is deemed necessary; But the plff may should be require the same here a writ of possession for said land, and the clerk of this Court will issue the same on his demand - And no further action being necessary the cause is stricken from the docket.



Samuel Pattee

My { Decid  
} Final

A. J. Anderson  
March 7. 1882

Entered Page

247.

J. A. Hyatt  
Clerk

Enter this  
April 3<sup>rd</sup> 1882  
J. A. K



Samuel Oatet . . . . Plff

against

A. J. Anderson et al Deft

} In chq.

This Cause came on this day to be heard upon the bill of the plaintiff, and exhibits filed, the answer of J. C. Blessing, and replication thereto, the order of publication duly made and posted and was argued by Counsel. And it appearing to the Court from the allegations of the bill, that the defendant A. J. Anderson has abandoned said premises, and that there is a portion of said purchase money now due; and that \$25. will fall due Jan. 1<sup>st</sup> 1882, from J. C. Blessing for rent. On consideration whereof and for reasons appearing to the Court it is adjudged ordered and decreed that the plaintiff recover from the defendant, ~~the sum of \$320.~~ A. J. Anderson the sum of \$320. with legal interest thereon from, the 31<sup>st</sup> day of July 1879, subject to a credit of \$95.25; January 10<sup>th</sup> 1880. And that defendant J. C. Blessing pay to the plff \$25. as and for his rent then due, and that such payment shall constitute a proper payment of the same in his settlement with said J. Anderson, And unless said A. J. Anderson



Or some one for him pay the same within  
30 days from the rising of this Court. Then  
A. L. Pindemore who is hereby appointed  
a special Commissioner for the purpose  
will proceed and sell on a credit of  
6 months, said lands or so much thereof  
as may be necessary to pay the same  
herein shown to be due, He will require a  
sufficient sum paid in hand to pay the  
costs of suit & sale, and take bonds payable  
to himself as Commissioner for the deferred  
payments. But before the plff shall be  
entitled to the benefit of this decree he  
shall file before the clerk of this Court  
a bond in the penalty of \$500, Conditioned  
to duly perform the future orders of the Court  
upon the ~~coming of the~~ defendants appearing  
and making defense, the said Commissioner  
will report his action to this Court, at some  
future term of this Court, and the cause is  
continued.

Samuel Catel

273 Decree for  
Sale

A. J. Anderson et al

Aug. T. 1881

Entered on page 215.

J. A. B. Hyatt  
clerk

Enter this

Aug. 27. 1881.

J. A. K.



To the Honorable John A. Kelly Judge of  
the Circuit Court of Lee County Virginia  
The undersigned who was appointed a  
Special Commissioner in the Case of Samuel  
Patet against A. J. Anderson and others, begs  
leave to report that in pursuance to a  
decree rendered in said Cause at the last  
August term, he advertised said lands  
as therein directed and on the 17<sup>th</sup> day  
of January 1882, that being the first day  
of the County Court, he offered said land  
in front of the Court House for sale, and  
the plaintiff became the purchaser at the price  
of \$758.26, being the debt Costs & Commis-  
sion due from the defendant. I offered  
the entire land sold by the plff to the  
defendant & that was the land purchased  
by him - when we consider the long credit  
of the sale by the plff to the defendant this  
is a better sale than he made himself -  
But this all he will ever get and is more  
than any one else would give - Your Com.  
recommends its confirmation and as the plff  
has all the costs to pay and the debt is  
due to him - the case may be stricken  
from its docket. All of which is  
respectfully submitted.

A. L. Ordernore  
Commr.



Samuel Pattee

Vol } Report to Com  
      } Preliminary of Sale

A. J. Anderson

Filed January 18<sup>th</sup> 1882

J. A. Hyatt  
Clerk



\$160<sup>00</sup>

By the first day of January next. I bind  
my self heirs. &c. to. Pay Samuel Poter \$160<sup>00</sup>  
One hundred and sixty dollars. for value receive  
bearing Interest from date. This note is given  
for Land which is a Lien. I herby waive all  
my Homestead Exemption as to this debt. Witness.  
My hand and seal. This 31<sup>st</sup> day of July 1879.

Test  
A R. Anderson

A. J. Anderson (seal)



Credit the within Note  
\$95.25 this the 10 January.  
1880

A. J. Anderson  
To note  
\$160.00

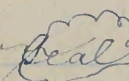
(11)



\$160.00

By the first day of January 1881. I bind  
My self heirs &c to Pay Samuel Poter \$160.00,  
One hundred and sixty dollars for value receive  
bearing Interest from date. This note is given for  
Land which is a Lien. I hereby waives all my  
Homestead Exemptions as to this debts, witness my  
hand and seal This 31<sup>st</sup> day of July 1879.

Test  
A. Richardson

A. J. Anderson 



A. J. Anderson  
To note \$160.00

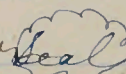
(2)



\$160<sup>00</sup>

By the first day of January 1882. I bind  
my self here &c. to pay Samuel Poteb \$160.<sup>00</sup>  
One hundred and Sixty dollars. for Value receive.  
bearing Interest from date. This note is given  
for Land which is a Lien. I hereby waives all  
my Homestead Exemptions as to this debt. witness.  
My hand and seal. This 31<sup>st</sup> day of July 1879.

Sect  
A. R. Anderson

A. J. Anderson 



A. J. Anderson.

To Note:

\$16000.


(3)



\$160<sup>00</sup>

By the first day of January 1883. I bind my self here &c. to pay Samuel Postet \$160<sup>00</sup> one hundred and sixty dollars. for value receive. bearing Interest from date. This note is given for Land which is a Lien. I hereby waives all my Homestead Exemptions as to this debt. witness my hand and seal. This 31<sup>st</sup> day of July 1879.

Geot  
A. R. Anderson

A. J. Anderson 



A. J. Anderson  
To Note  
\$16000


(A)



\$160<sup>00</sup>

By the first day of January 1884. I bind my  
self heirs &c. to pay Samuel Doten \$160<sup>00</sup> one hundred  
and sixty dollars. for value received bearing Interest from  
date This note is given for Land which is a Lien I hereby  
waive all my Homestead Exemptions as to this debt. witness  
my hand and seal this the 31<sup>st</sup> day of July 1879.

Wm  
A. R. Anderson

A. J. Anderson 



A. J. Anderson

{ To Note  
{ \$16000

(5)



Virginia.

At rules held in the Clerk's office of the Circuit Court of Lee County on Monday the 4<sup>th</sup> day of July 1881.

Samuel Pateet

vs

A. J. Anderson et als.

Plff

Def. In Chy.

Left

The object of this <sup>suit</sup> ~~bill~~ is to subject, a tract of land, to sale, heretofore sold by the Plff, to the Deft A. J. Anderson for the unpaid purchase money, and to have applied a debt due from Deft, J. C. Blessing to said purchase money. said land is situated in said County of Lee on the waters of Black <sup>water</sup> ~~water~~ Creek and is the same whereon the said J. C. Blessing now resides.

And it appearing from an affidavit filed in the case, that ~~Def~~ A. J. Anderson The Deft, is a non-resident of the State of Virginia, It is ordered that he appear here within one month after due publication of this order and do what is necessary to protect his interest in this suit.

Leste

J. A. Hyatt Clerk,

Lee County Court

I certify that I posted a copy of the within order at the front door of Lee County Court house on the 19<sup>th</sup> day of July 1881. That being Court day. J. A. Hyatt Clk



Samuel Poter  
vs 3 or 4 Pub-  
A. J. Anderson

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# The Commonwealth of Virginia.

We command you to summon

To The Sheriff of Lee County, Greeting:

A. R. Sengauer, A. J. Lee and  
S. S. Sengauer, A. J. Anderson & J. C. Blessing

To appear at the Clerk's Office of the Circuit Court of Lee county, at the Court House, on the first Monday in July  
next, being <sup>day</sup> rule, to answer a bill in Chancery, exhibited in our said Court against them by

Samuel Poter

And have then there this writ. Witness JAMES W. Orr, Clerk of our said Court, at the Courthouse, this  
day of June 1881, in the 105<sup>th</sup> year of the Commonwealth.

James W. Orr Clerk.  
Copy  
Little James W. Orr. clerk

# The Commonwealth of Virginia.

To The Sheriff of Lee County, Greeting:

We command you to summon

~~A. R. Sargen~~ ~~vs. J. D. Lacy~~  
~~and J. D. Sargen~~ ~~A. J. Anderson & J. L. Blessing~~

To appear at the Clerk's Office of the Circuit Court of Lee county, at the Court House, on the first Monday in July  
next, being <sup>day</sup> ~~the~~ them by  
Samuel Poter

And have then there this writ. Witness JAMES W. Orr, Clerk of our said Court, at the Courthouse, this 29<sup>th</sup>  
day of June 1881, in the 105<sup>th</sup> year of the Commonwealth.

James W. Orr Clerk.



Samuel Pateet  
vs { Sfa In chy

A. J. Anderson  
July Rules.

Executed on J. C.  
Blessing and not  
on A. J. Anderson  
he being a non-  
resident. July 2<sup>d</sup>  
1881

Frank Niles S.D.  
for T. S. Cely S. L. C.

OFFICE OF

WILLIAM A. ORR,

Attorney and Counsellor at Law,

Will practice in all the Courts of  
LEE, SCOTT, WISE AND WASHINGTON COUNTIES,

And in the

FEDERAL COURT AT ABINGDON.

PROMPT ATTENTION

GIVEN TO THE COL-  
LECTION OF CLAIMS.

Jonesville, Lee County, Va., July 22, 1881.

I hereby certify that the Order of Publication  
of which the attached is a copy has been  
published for successive weeks in the  
Lee County Sentinel a weekly newspaper  
published at Jonesville, Va.

Wm. A. Orr,  
Editor.

VIRGINIA :—At times in the  
office of the Circuit Court of Lee county  
on Monday, the 4th day of July, 1881.  
Samuel Poleet, Plt'ff. In  
VS. } Chancery.  
A. J. Anderson et als, Deft's.  
The object of this suit is to subject a tract  
of land to sale heretofore sold by the Plt'ff. to  
the Def't. A. J. Anderson for the unpaid pur-  
chase money; and to have applied a debt due  
from J. C. Blessing to said purchase money;  
said land is situated in said county of Lee on  
the waters of Blackwater creek, and is the  
same whereon the said J. C. Blessing now re-  
sides. And it appearing from an affidavit filed  
in the case that A. J. Anderson the def't. is a  
nonresident of the State of Virginia; it is or-  
dered that he appear here within one month  
after due publication of this order and do what  
is necessary to protect his interest in this suit.  
A copy. Teste,  
(Jul 84w85) J. A. G. HYATT Clerk.



Sam'l Poth  
vs } Oral Poth  
A. J. Anderson et al

Fee \$5—